

I hereby disapprove the following items:

Section 2

4403-2001  
4510-0720  
7003-0604  
7003-0605  
7100-0350  
7100-0700  
7114-0106  
7511-0101  
8000-0225

Section 23.

I hereby reduce the following items in Section 2 to the following amounts:

Section 2	Reduce By	Reduce To
1599-0042	2,500,000	10,000,000
3000-1000	455,334	9,114,743
3000-5000	1,353,857	6,146,143
4530-9000	907,357	1,092,643
7004-9033	500,000	2,000,000
7004-9316	2,000,000	3,000,000
7007-0500	250,000	250,000
7061-0011	4,370,000	2,500,000
7061-0029	606,509	2,829,470

I hereby reduce the following items in Section 2 to the following amounts, and disapprove the wording as indicated:

Section 2	Reduce By	Reduce To	Wording Stricken
1107-2400	125,000	605,280	" ; provided, that \$125,000 shall be used to develop training materials for employees working in the state house on the Americans With Disabilities Act, including how to assist people with disabilities within the state house"
1108-5200	15,000,000	934,010,107	" ; provided further, that the preceding provisions pursuant to employee contributions shall expire December 31, 2005 at which time the commonwealth’s share of the premiums for active state employees and their dependents shall be 85 per cent"  and  " ; provided further, that the preceding provision pursuant to employee contributions shall expire December 31, 2005 at which time the commonwealth’s share of the premiums for active state employees hired after June 30, 2003 and their dependents shall be 80 per cent"
1599-7780	118,000	1,240,000	" ; provided further, that no less than \$118,000 shall be expended for the Norfolk district attorney’s office"
2000-0100	315,000	5,994,486	" ; provided further, that said secretary shall file a plan with the house and senate committees on ways and means 20 days before entering into any interdepartmental service agreements with any of the departments or divisions under said secretariat or any department, division or office under the executive office of administration and finance; provided further, that the secretary shall file a plan with the house and senate committees on ways and means and to the joint committee on the environment, natural resources and agriculture 90 days prior to the initiation of any proposal or plan that would consolidate any function with any of the departments or divisions under said secretariat or any department, division or office under the executive office of administration and finance; provided further, that the plan shall include, but not be limited to the following: (1) an identification of the employees that would be affected by consolidation and the item of appropriation that they are paid from, (2) the savings or efficiencies to be realized, (3) the improvements to the services expected, and (4) the source and amount of funding necessary to accomplish the consolidation; and provided further, that the secretary shall provide a 90 day notice prior to the implementation of any memorandum of understanding, interagency service agreements, or other contacts, or agreements that would enable such consolidation of services to take place; provided further, that \$75,000 shall be expended for a study of traffic patterns during rush hour commutes on department of conservation and recreation controlled roadways serving Lynn, Swampscott and Nahant; provided further, that not less than \$40,000 shall be expended for the completion of a comprehensive cost study of a master plan for the maintenance and improvement of all property under the care, custody and control of the division in the West Roxbury section of the city of Boston including such measures but not limited to the planting, pruning, reforestation, enhancement of pedestrian access walks and the removal of leaves, snow and debris in said property"  and  " ; provided further, that not less than \$50,000 shall be expended for new flood insurance rate maps for Salisbury beach; and provided further, that \$150,000 shall be expended for a coastal water quality and natural resource monitoring program in Buzzards Bay administered by the Coalition for Buzzards Bay"
2800-0100	100,000	5,377,272	" ; provided further, that not less than \$100,000 shall be expended within thirty days of receipt of said funds, for the maintenance of the facility and animal upkeep of the mounted unit in the Blue Hills Reservation, which are not subject to said reimbursement to the department"  and  " ; provided further, that notwithstanding the provisions of any general or special law or administrative bulletin to the contrary, the department shall not pay any fees charged for the leasing or maintenance of

			vehicles to the operational services division; provided further, that the department shall, in collaboration with the department of environmental protection and the department of fish and game, establish and maintain a comprehensive inventory of all dams in Massachusetts, and develop a coordinated permitting and regulatory approach to dam removal for stream restoration and public safety"
			and
			"; provided further, that any employee paid from this item as of August 1, 2004, that was included in the report required from said item in chapter 149 of the acts of 2004, and any employees assigned to that item after August 1, 2004, shall not be paid from any other item of appropriation; provided further, that the department of conservation and recreation shall provide the house and senate committees on ways and means with a 30 day notice before any inter subsidiary transfers or interagency service agreements and the reason for said transfer; provided further, that no funds shall be expended for deputy commissioner positions; provided further, that no funds shall be expended for deputy associate commissioners"
2820-0100	40,000	23,568,929	";; provided further, that \$40,000 shall be provided for a traffic study administered by the commissioner of the department of conservation and recreation shall be commissioned to improve public safety along Nonantum road and adjacent parklands, including developing alternatives for narrowing the parkway cross-section, alternatives for safety improvements at the intersections of Charlesbank road and Maple street, alternatives for landscape, pathway, lighting, and drainage improvements, and a schedule and cost estimate for the design and construction of the recommendation; provided further, that the commissioner shall report progress to the Stewardship Council at each meeting until the study reaches completion; provided further, that the commissioner shall ensure public input through two public hearings held in Newton and Watertown during the study - one prior to the initial recommendation, one after release of the initial recommendation but prior to the final recommendation; provided further, that the commissioner shall ensure public awareness by publishing quarterly progress reports on the department of conservation and recreation website's press release section; and provided further, that upon completion of the study, the commissioner shall deliver the recommendation of the study along with a report addressing public opinion not reflected in the recommendation to the Stewardship Council provided further, that the commissioner shall develop a capital project plan to enact the recommendation of the traffic study, including design and implementation" and "; provided further, that the commissioner shall submit this plan for the next fiscal year budget following the completion of the traffic study"
3000-7060	1,000,000	1,000,000	" of education"
4000-0112	1,610,000	2,000,000	"; provided further, that not less than \$80,000 shall be expended for the young parents program of the Newton Community Service Centers; provided further, that not less than \$40,000 shall be expended for the public partnership program between the greater Lynn YMCA and YWCA and the public partnership program between the town of Saugus and the Saugus YMCA and YWCA; provided further, that not less than \$50,000 be expended for programs and improvements at the Northeast Family YMCA; provided further, that not less than \$50,000 be expended for programs and improvements at the Haverhill YWCA; provided further, that not less than \$500,000 shall be expended for the YMCA of greater Boston to facilitate capital projects approved by the board of directors of the YMCA including, but not limited to, capital projects in the town of Norwood, the West Roxbury section of Boston, East Boston, Woburn, Bedford and in other cities and towns within the greater Boston area; provided further, that not less than \$100,000 shall be expended for programs and improvements to the YWCA of Newburyport; provided further, that not less than \$50,000 shall be expended for the Project Adventure Youth Leadership Program administered by Family Services Incorporated of Lawrence; provided further, that not less than \$50,000 shall be expended for programs at the Girls Incorporated of Holyoke drop-in center; provided further, that not less than \$25,000 shall be expended for programs at the Fishing

			Academy, Incorporated; provided further, that not less than \$225,000 shall be expended for Camp Coca Cola New England to provide youth development services with an emphasis on leadership training and community service; provided further, that no less than \$125,000 shall be expended for the Greater Worcester YMCA Youth Programs; provided further, that not less than \$50,000 shall be expended for the Chelsea YMCA for building rehabilitation purposes; provided further, that not less than \$40,000 shall be expended for the Saugus YMCA; provided further, that not less than \$50,000 shall be expended to the Franklin Community Action Corporation for youth service; provided further, that not less than \$150,000 shall be expended for nonprofit Youth Services in Andover; provided further, that not less than \$25,000 shall be expended for the Southwick Recreation Center, Inc.; and provided further, that the secretary shall report to the house and senate committees on ways and means on the exact amount distributed in fiscal year 2006 by March 1, 2006"
4000-0600	45,000,000	1,845,925,627	<p>"; provided further, that in the event the division of health care finance and policy conducts or utilizes an audit of nursing facilities' calendar year 2002 base year costs for the purpose of reducing rates below levels that would be in effect in the absence of the audit, the division shall disallow no more than \$22,000,000 in the aggregate in fiscal year 2006 rates"</p> <p>and</p> <p>"; provided further, that effective July 1, 2005, nursing facility Medicaid rates shall be adjusted by no less than \$43,500,000 in the aggregate for the purpose of funding inflationary cost"</p> <p>and</p> <p>"; provided further, that notwithstanding any general or special law to the contrary, medicaid rates paid by the commonwealth through the office of medicaid or its third party agents to cover the cost of care provided by the only mentally involved/medically involved (MIMI) nursing facility in the commonwealth shall be sufficient to cover the cost of care provided by such a facility, and in no event shall be less than 15 per cent more than the fiscal year 2005 medicaid reimbursement per patient day received by such a facility"</p>
4000-1405	1,220,000	130,934,120	<p>"; provided further, that any such individual shall not be subject to sponsor income deeming or related restrictions"</p>
4510-0600	264,800	3,188,603	<p>"; provided further, that \$100,000 shall be expended for a renal disease program administered by the National Kidney Foundation of Massachusetts, Rhode Island and Vermont for nutritional supplements and early intervention services for those affected by renal disease and those at risk of renal disease"</p> <p>and</p> <p>"; provided further, that not less than \$14,800 shall be allocated to the Franklin Regional Council of Governments for costs associated with the regional public health program"</p> <p>and</p> <p>"; provided further, that \$150,000 shall be expended for the ALS registry created by section 26 of chapter 140 of the acts of 2003"</p>
4512-0200	973,000	46,626,186	<p>"; provided further, that not less than \$50,000 shall be expended for the Louis D. Brown Peace Institute for homicide victims' family support services and anti-violence advocacy programs"</p> <p>and</p> <p>"; provided further, that not less than \$833,000 shall be expended for the Volunteers of America Rebound Youth Residential Recovery Program at Long Island Hospital in the city of Boston for substance abuse and rehabilitation services to youths with addictions; provided further, that not less than \$90,000 shall be expended for a batterer prevention program in the city of New Bedford"</p>
4513-1020	1,000,000	29,840,024	<p>"; provided further, that not less than \$1,000,000 shall be expended for</p>

			the provision of cost reimbursement funding to certified Early Intervention Programs"
4570-1500	107,500	3,284,833	"; and provided further that not less than \$107,500 shall be expended for Silent Spring Institute to complete the Household Exposure Study"
4590-0914	1,066,667	533,333	"; and provided further, that the funds appropriated in this item shall be made available for expenditure through June 30, 2008"
7003-0702	330,000	7,629,000	"; provided further, that not less than \$195,000 shall be expended for 3 full-time equivalent rapid response labor specialists at the Massachusetts AFL-CIO"
			and
			"; provided further, that not less than \$135,000 shall be expended for incumbent worker coordinators at the Massachusetts AFL-CIO"
7004-3036	221,925	1,000,000	"; provided further, that not less than \$141,000 shall be expended for the Just-A-Start Corporation to administer a housing stabilization conflict management services program to prevent homelessness; provided further, that \$80,925 shall be expended for the Central Massachusetts Housing Alliance"
7004-9024	2,000,000	24,283,345	"; provided further, that the costs of administration shall not exceed 6 per cent of the appropriation provided in this item; provided further, that the 6 per cent shall include, but not be limited to, all expenditures which may be made by the department to conduct or otherwise contract for rental voucher program inspections"
			and
			" but not more than 40 per cent"
			and
			" but not more than 40 per cent"
			and
			"; provided further, that the department shall submit an annual report not later than February 1, 2006 to the secretary of administration and finance and the house and senate committees on ways and means detailing expenditures, the number of outstanding rental vouchers by income level and the number and types of units leased that are funded from this item"
7007-0900	4,000,000	16,418,282	"; provided further, that said office shall grant not less than \$4,000,000 to the Massachusetts International Marketing Partnership Incorporated, the business entity awarded the contract pursuant to section 60 of chapter 141 of the acts of 2003 for the express purpose of implementing the strategic marketing and promotional program to recover the commonwealth's lost international market share"
7010-0005	75,000	9,522,805	"; provided, that the department, in collaboration with the governor's commission on gay and lesbian youth, shall allocate not less than \$75,000 for programming to ensure public schools' compliance with the board of education's recommendations for the support and safety of gay and lesbian students and the implementation of related suicide-prevention and violence-prevention efforts"
8000-0000	50,000	2,250,856	"; provided, that not less than \$50,000 shall be expended for a commission to be known as the State Resilience Development and Anti-Terrorism Commission which shall be comprised of 5 members who shall be appointed by the Inspector General, 1 of whom shall be a representative of organized labor and 1 of whom shall be a representative of management and chapters 268A and 268B of the General Laws shall not apply to members of the commission who are not otherwise subject to said chapters 268A and 268B; provided, further, that the commission shall not be subject to sections 11A and 11A½ of chapter 30A of the General Laws; provided further, that the commission shall be responsible for researching, developing, and coordinating resilience-building programs and protocols, including, but not limited to, risk communication protocols, community strategies to maximize public adherence to disaster contingency plans, training for

			<p>teachers and school personnel to guide students through disasters and tools for first responders to maximize their effectiveness during and after a crisis; provided further, that the commission shall approve and audit all state, local and regional programs and ensure that all state, local and federal funding and grants are appropriately expended; provided further, that the commission shall analyze state and local preparedness for terrorism to ensure that the state public health infrastructure is prepared to adequately respond to the psychological and physical consequences across a continuum of possible terrorism events; provided further, that the commission shall ensure that state and local disaster planners address psychological and physical consequences in their planning and preparedness and in their response to pre-event, event and post-event phases of terrorist attacks; provided further, that due consideration shall be given to needs associated with different types of terrorism events and to needs for various segments of the population; provided further, that due consideration shall also be given to providing adequate state and local prioritization and funding of resources and support for psychological preparedness and response; provided further, that the commission shall develop strategies for encouraging state public health and mental health agencies to closely collaborate in the development of integrated, science-based programs and protocols designed to increase psychological resilience and mitigate distress reactions and maladaptive behaviors to a conventional, biological, chemical or radiological attack in the commonwealth; provided further, that the commission may hire staff, contract and enter into agreements for the operation of the commission; and provided further, that the commission may seek grants and other funding sources for the operation of the commission"</p>
8100-0000	137,400	211,049,380	<p>"; provided further, that \$75,000 shall be expended for the 5-A program in the city of Springfield"</p> <p>and</p> <p>"; and provided further, that not less than \$62,400 shall be expended for the state police-South Yarmouth to prevent accidents and expedite traffic flow in the town of Yarmouth"</p>
8324-0000	100,000	10,223,098	<p>"; provided further, that \$100,000 shall be expended to Norfolk County for the purpose of the establishment of the Norfolk County dispatch center at the Massachusetts Hospital School in Canton"</p>
8800-0300	75,000	90,356	<p>"; provided further, that not less than \$75,000 shall be expended for the upgrading and installation of updated monitoring equipment for C-10 of Newburyport this expense shall be apportioned according to the formula stated above; and provided further, that the department shall report to the house and senate committees on ways and means not later than March 1, 2006 the results of the monitoring project between the department and the citizens monitoring group, including but not limited to, the reasons for increases and decreases in radiation levels"</p>
8900-0001	1,710,500	429,255,825	<p>"; provided, that the department shall expend not less than \$1,010,500 to cities and towns hosting facilities; provided further, that one-half of the number of inmates incarcerated at Souza Baranowski correctional center shall be deemed to be incarcerated within a correctional facility in the town of Shirley and one-half shall be deemed to be incarcerated within a correctional facility in the town of Lancaster"</p> <p>and</p> <p>"; provided further, that not less than \$200,000 shall be provided for the Aid to Incarcerated Mothers organization"</p> <p>and</p> <p>"; provided further, that the department shall expend not less than \$500,000 to the community hosting the facility at Cedar Junction"</p>

I hereby reduce the following items in Section 2 by striking the wording as indicated and inserting in place thereof the following wording set forth below:

Section 2	Reduce By	Reduce To	
1599-6901	10,000,000	10,000,000	Wording Stricken  "; provided further, that \$14,000,000 shall be expended in fiscal year 2006 to adjust the wages, compensation or salary and associated employee-related costs to personnel earning less than \$25,000 in annual compensation who are employed by private human service providers that deliver human and social services under contracts with departments within the executive office of health and human services and the executive office of elder affairs; provided further, that \$6,000,000 shall be expended in fiscal year 2006 to adjust the wages, compensation or salary and associated employee-related costs to personnel earning more than \$25,001 and less than \$40,000 in annual compensation who are employed by private human service providers that deliver human and social services under contracts with departments within the executive office of health and human services and the executive office of elder affairs"  Wording Inserted  "; provided further, that \$7,000,000 shall be expended in fiscal year 2006 to adjust the wages, compensation or salary and associated employee-related costs to personnel earning less than \$25,000 in annual compensation who are employed by private human service providers that deliver human and social services under contracts with departments within the executive office of health and human services and the executive office of elder affairs; provided further, that \$3,000,000 shall be expended in fiscal year 2006 to adjust the wages, compensation or salary and associated employee-related costs to personnel earning more than \$25,001 and less than \$40,000 in annual compensation who are employed by private human service providers that deliver human and social services under contracts with departments within the executive office of health and human services and the executive office of elder affairs"
4000-0500	2,000,000	2,100,005,676	Wording Stricken  "; provided further, that not less than \$12,000,000 shall be expended for disproportionate share payments for inpatient services provided at pediatric specialty hospitals and units, including pediatric chronic and rehabilitation long-term care hospitals as allowable under federal law"  Wording Inserted  "; provided further, that not less than \$10,000,000 shall be expended for disproportionate share payments for inpatient services provided at pediatric specialty hospitals and units, including pediatric chronic and rehabilitation long-term care hospitals as allowable under federal law"
4403-2120	2,973,293	70,626,707	Wording Stricken  "; provided, that eligibility shall be limited to families with income at or below 130 per cent of the federal poverty level; provided, however, that any family whose income exceeds 130 per cent of the federal poverty level while the family is receiving assistance funded by this item shall not become ineligible for assistance due to exceeding the income limit for a period of 6 months from the date that the 130 per cent level was exceeded; provided further, that the department shall establish reasonable requirements for such families to escrow some or all of the portion of their income which exceeds 130 per cent of the federal poverty level; provided further, that any such escrowed funds shall be exempt from otherwise applicable asset limits; provided further that the family shall be allowed to withdraw the amount placed in escrow upon transition to permanent housing or losing eligibility for shelter services"  and  "; provided further, that eligibility for shelter by an otherwise eligible family shall not be impaired by prior receipt of any nonshelter benefit; provided further, that the department shall within 30 days of the effective date of this act revise its regulations to implement the

preceding proviso"

and

"; provided further, that the department shall within 30 days of the effective date of this act revise its regulations to implement the preceding proviso; provided further, that notwithstanding any other general or special law to the contrary, the department shall immediately provide shelter for up to 30 days to families who appear to be eligible for such shelter based on statements provided by the family and any other information in the possession of the department but who need additional time to obtain any third-party verifications reasonably required by the department"

and

"; provided further, that the department shall within 30 days of the effective date of this act revise its regulations to implement the preceding proviso"

and

"; provided further, that notwithstanding any general or special law to the contrary, 60 days before promulgating any such eligibility or benefit changes, the commissioner shall file with the house and senate committees on ways and means and with the clerks of the house of representatives and the senate a determination by the secretary of health and human services that available appropriations for the program will be insufficient to meet projected expenses and a report setting forth such proposed changes; provided further, that all of this item shall be subject to appropriation and, in the event of a deficiency, nothing in this item shall give rise to or shall be construed as giving rise to any enforceable right or entitlement to services in excess of the amounts appropriated by this item; provided further, that nothing in the preceding proviso shall authorize the department to alter eligibility criteria or benefit levels, except to the extent that such changes are needed to avoid a deficiency in this item; provided further, that the department shall report quarterly to the house and senate committees on ways and means an unduplicated count of families who apply for emergency assistance funded family shelter during the fiscal year; provided further that the report shall include the total number of applications received, the number of families approved for shelter, the number of families denied shelter along with reasons for denials, the number of families who are approved for shelter benefits within 12 months of an initial denial, the home community of families receiving shelter, the number of families receiving shelter within each home community, the number of available shelter slots within each home community, the income level of families receiving shelter, the number of families receiving shelter who had previously accessed state-funded programs to reduce homelessness and the programs that had been accessed, the composition of families receiving shelter, the reason that the household is seeking emergency family shelter, the reasons that families exit shelters, including reasons for voluntary departure and termination, exiting families' housing plans, including type of housing arrangements, subsidy status, monthly rent, and gross monthly income, and any other information that the department determines to be necessary in evaluating the operation of the emergency assistance family shelters program; provided further, that the report shall also include information, by type of shelter, on average length of stay, average cost per household served, average number of shelter slots not used either as the result of no placement being made or of a placed family not making use of shelter, and an analysis of this data, including an analysis of causes relating to any significant differences in the data for each type of shelter; provided further, that the report shall also include a status report on the outcomes of department-funded homelessness prevention initiatives, providing information on the nature and total cost of each such initiative, the number of families served by each such initiative, the average cost per family of each such initiative, the affordability and stability of housing or alternative shelter placements for prevention program recipients, including type of housing arrangement, subsidy status, monthly rent, and gross monthly income, and any other information that the department determines to be necessary in evaluating the operation of state-funded homeless prevention programs"



Wording Inserted

"; provided, that eligibility shall be limited to families with income at or below 100 per cent of the federal poverty level"

4590-0250      100,000      14,618,309      Wording Stricken

"; provided further, that not less than \$350,000 shall be expended for the governor’s commission on gay and lesbian youth"

Wording Inserted

"; provided further, that not less than \$250,000 shall be expended for the governor’s commission on gay and lesbian youth"

I hereby disapprove in the following items in Section 2 the wording as indicated:

Section 2      Wording Stricken

- 1000-0001      "; provided further, that notwithstanding the provisions of any general or special law to the contrary, the comptroller shall deduct an amount of \$1,000 from any item of appropriation in section 2 of this act in which a reporting requirement is stipulated within said item and which report is not filed within 10 days of the stated due date; provided further, that any and all amounts deducted shall be deposited in the General Fund and the comptroller shall notify the house and senate committees on ways and means of any and all amounts so deducted"
- 1107-2501      "; provided further, that the commission shall report to the house and senate committees on ways and means not later than the last day of each quarter on the number of claims of abuse by caretakers made by employees or contracted service employees of the departments of mental retardation and mental health and the Massachusetts rehabilitation commission; provided further, that the report shall include: (i) the number of claims found to be substantiated; (ii) the number of claims found to be unsubstantiated; and (iii) the number of claims found to be falsely reported as a result of intentional and malicious action"
- 1410-0400      "; provided further, that notwithstanding any general or special law to the contrary, the secretary of veteran services may continue a training program for veterans’ agents and directors of veterans’ services in cities and towns; provided further, that the purpose of the training program shall be to maximize federal assistance available for veterans and to assure that the agents and directors receive uniform instruction on providing veterans and dependents with advice relative to procurement of state, federal and local benefits to which they are entitled, including employment, education, health care, retirement and other veterans’ benefits; provided further, that the subject matter of the training program shall include benefits available under said chapter 115 and alternative resources, including those which are partially or wholly subsidized by the federal government, such as Medicaid, Supplemental Security Income and Social Security Disability benefits, as well as federal pension and compensation entitlements; provided further, that the secretary shall promulgate regulations for the training program; provided further, that upon successful participation by the veterans’ agents or directors of veterans’ services in the training program, the costs of the training program incurred by the several cities and towns shall be reimbursed by the commonwealth on or before November 10 following the fiscal year in which the costs were paid"
- 1599-4408      "; provided further, that the secretary of administration and finance, the commissioner of the department of transitional assistance and the commissioner of the department of early education and care, shall, not later than January 15, 2006, jointly issue a preliminary report, and not later than April 1, 2006, issue a final report on planned expenditures from this item, on any federal actions impacting the state transitional assistance program, and on any legislative proposals the department may recommend in response to the actions; provided further, that, if the reports include legislative or administrative recommendations in response to federal actions, the reports shall include a description of all new requirements proposed to be imposed on recipients of transitional aid to families with dependent children as a result of federal actions, an analysis of the individuals proposed to be subject to work requirements as a result of the actions, including an analysis of which individuals may reasonably be expected to obtain employment with proper assistance and which require an alternative plan or strategy for achieving self-sufficiency, and a detailed plan for addressing the needs of any recipient who would be subject to work requirements under such proposal; provided further, that the reports shall be provided to the chairpersons of the house and senate ways and means committees, the house and senate chairpersons of the joint committee on children and families and the house and senate chairpersons of the joint committee on education; and provided further, that nothing in the foregoing authorizes the department of transitional assistance to impose rules or requirements that are not authorized by section 110 of chapter 5 of the acts of 1995"
- 1750-0201      "; provided further, that the human resources division shall submit a semi-annual report to the house and senate committees on ways and means detailing all expenditures on the program including, but not limited to, the costs of personnel, consultants, administration of the wellness program, establishment of standards and any other related costs of the program; and provided further, that the division shall

report to the house and senate committees on ways and means by February 1, 2006 on the projected costs of the program for fiscal year 2006"

- 1775-0100 "; provided further, that notwithstanding any general or special law to the contrary, the division of purchased services of the operational services division which, under section 274 of chapter 110 of the acts of 1993, is responsible for determining prices for programs under chapter 71B of the General Laws, shall set all such prices in fiscal year 2006 by increasing the final fiscal year 2005 price by the rate of inflation as determined by the division; provided further, that the division shall also adjust prices for Extraordinary Relief, as defined in 808 CMR 1.06(4); provided further, that the department shall accept applications for Program Reconstruction in fiscal year 2006; provided further, that programs for which prices in fiscal year 2005 were lower than the full amount permitted by the division of purchased services shall be permitted to charge in fiscal year 2006 the full price calculated for fiscal year 2005 adjusted by the rate of inflation as determined by the division; provided further, that upon the request of a program, the operational services division shall authorize a minimum price for the program to charge out-of-state purchasers; and provided further, that the division shall determine said minimum price for out-of-state purchasers by identifying the most recent price calculated for the program and applying the estimated rates of inflation which are established by December 1 of each year pursuant to section 274 of chapter 110 of the acts of 1993 in a compounded manner for each fiscal year following the most recent calculated price"
- 2030-1000 " Hyannis and"
- 2310-0200 "; provided further, that the executive office shall conduct a study on the severity of invasive weeds in the commonwealth's bodies of natural water; provided further, that said study shall include, but not be limited to the costs associated with full clean-up and eradication, a priority list of projects, an analysis of future environmental concerns stemming from invasive weeds, and plans for communities to prevent future growth of invasive weeds; provided further, that the executive office shall also conduct a study of the advantages and disadvantages of future maintenance of invasive weeds in the state; and provided further, that the executive office shall report to the general court the results and recommendations, if any, together with drafts of legislation necessary to carry out recommendations into effect by filing the same with the clerk of the house of representatives, the house and senate committees on ways and means, and the joint committee on environment, natural resources and agriculture on or before the last Wednesday of February 2006"
- 3000-6000 "; and provided further, that no funds shall be expended, obligated or transferred from this item prior to the submission of written certification by the commissioner to the house and senate committees on ways and means that all planned expenditures and allocations from this item shall have no fiscal impact beyond fiscal year 2006"
- 4000-0300 "; provided further, that a hospital with a unit designated as a pediatric specialty unit, or which maintains a level 1 burn and trauma center for pediatrics as defined in this item shall be exempt from the inpatient and outpatient efficiency standards being applied to their rate methodology; provided further, that notwithstanding section 1 of chapter 118G of the General Laws or any general or special law to the contrary, for fiscal year 2006 the definition of a "pediatric specialty unit" shall mean a level 1 burn and trauma center for pediatrics or a pediatric unit of an acute care hospital in which the ratio of licensed pediatric beds to total licensed hospital beds as of July 1, 1994, exceeded 0.20; provided further, that in calculating that ratio, licensed pediatric beds shall include the total of all pediatric service beds, and the total of all licensed hospital beds shall include the total of all licensed acute care hospital beds, consistent with Medicare's acute care hospital reimbursement methodology as put forth in the Provider Reimbursement Manual Part 1, Section 2405.3G"
- and
- " and mothers until their youngest child reaches the age of 3"
- and
- " and mothers until their youngest child reaches the age of 3"
- and
- "; provided further, that in determining inpatient rates for any acute hospitals the executive office shall utilize the same payment methodology, including all exemptions, rate adjustments and passthrough payments, as was in effect on July 1, 2003, except as provided in item 4000-1401; provided further, that in determining outpatient rates for any acute hospitals the executive office shall utilize the same payment methodology, including all exemptions and rate adjustments, as was in effect on October 1, 2003; provided further, that in calculating rates of payment for children enrolled in MassHealth receiving inpatient services at acute care pediatric hospitals and pediatric specialty units as defined in section 1 of chapter 118G of the General Laws, the executive office shall make a supplemental payment, if necessary, sufficient to assure that payment for inpatient cases with a case mix acuity greater than 5.0 shall be at least equal to 85% of the expenses incurred in providing services to those children; provided further, that said executive office shall not reduce the supplement to chronic disease and rehab hospitals administrative day rate below that which was granted during hospital fiscal year 2005; provided further, that said executive office in fiscal year 2006 shall not eliminate payment to hospital outpatient departments for primary care provided to MassHealth members"

and

"; provided further, that in determining the inpatient and outpatient nonacute hospital rates of payment, the executive office and its contractors shall utilize a payment methodology so that rates of payment are not less than those in effect during fiscal year 2005; and provided further, that notwithstanding any general or special law to the contrary, the executive office shall adopt regulations which restrict eligibility and covered services only after public notice and hearing"

4000-0990 "; provided further, that notwithstanding subsection (d) of section 10F of chapter 118E of the General Laws, or any general or special law to the contrary, premiums for this program shall be collected according to the following eligibility categories: (1) enrollees in households earning less than 200 per cent of the federal poverty level shall not be responsible for contributing to program premium costs; (2) enrollees in households earning between 200 per cent and 300 per cent of the federal poverty level, inclusive, shall contribute not less than 20 per cent and not more than 30 per cent of the monthly premium cost according to a sliding scale established by the executive office; provided, that additional contributions shall not be required for any enrollee after the third enrollee in such a household; (3) enrollees in households earning between 301 per cent and 400 per cent of the federal poverty level, inclusive, shall contribute not less than 85 per cent and not more than 90 per cent of the monthly premium cost according to a sliding scale established by the executive office; provided, that additional contributions shall not be required for any enrollee after the first enrollee in such a household; and (4) enrollees in households earning more than 400 per cent of the federal poverty level shall pay not more than the full premium cost of the program; provided further, that the secretary of shall certify quarterly in writing to the house and senate committees on ways and means that premiums established pursuant to the fourth paragraph of section 10F of chapter 118E have been paid by all enrollees for whom premiums are applicable"

4100-0060 "; provided further, that notwithstanding any general or special law to the contrary, the division of health care finance and policy, in conjunction with the executive office of elder affairs and the executive office of health and human services shall, by August 1, 2005, for all non-acute chronic and rehabilitation hospitals, adopt and implement, for the rate year effective October 1, 2005, a Medicaid rate reimbursement methodology, that utilizes a hospital base year of either 2002 or 2003; provided further, that in calculating the Medicaid rate of reimbursement for such hospitals, such reimbursement shall exclude any costs associated with any beds licensed by the department of mental health"

4120-1000 "; provided further, that the commissioner shall report quarterly to the house and senate committees on ways and means and the secretary of administration and finance on the number of clients served and the amount expended on each type of service"

4190-0102 "; provided further, that no funds appropriated in this item shall be expended until the superintendent has submitted a report to the secretary and the house and senate committees on ways and means detailing projected expenditures for fiscal years 2006 and 2007 and any and all assumptions used to project outpatient pharmacy spending for the outpatient pharmacy program from this item and item 4190-0100 by September 1, 2005"

4400-1000 "; provided further, that the department shall submit on a monthly basis to the house and senate committees on ways and means and the secretary of administration and finance a status report on program expenditures, savings and revenues, error rate measurements, and public assistance caseloads and benefits; provided further, that the report shall comprehensively track statewide use of the emergency assistance program by eligibility category including, but not limited to, caseload, average length of use or stay and monthly expenditures"

and

"; and provided further, that the department shall report to the house and senate committees on ways and means not later than December 15, 2005 on the extended office hours and placement of workers at community and human service organizations that the department has determined is feasible within the appropriation provided and that the department will provide in the current fiscal year"

4401-1000 "; and provided further, that all of this item is subject to appropriation and, in the event of a deficiency, nothing in this item shall give rise to or shall be construed as giving rise to any enforceable right or entitlement to services in excess of the amounts appropriated by this item"

4403-2000 "; provided further, that notwithstanding any general or special law to the contrary, 60 days before promulgating any eligibility or benefit changes, the commissioner shall file with the house and senate committees on ways and means and with the clerks of the senate and house of representatives a determination by the secretary of health and human services that available appropriations for the program will be insufficient to meet projected expenses and a report setting forth the text of and basis for such proposed changes"

4408-1000 "; and provided further, that notwithstanding any general or special law this item to the contrary, 60 days before implementing any eligibility or benefit changes, or both, the commissioner shall file with the clerks of the house of representatives and the senate a determination by the secretary of health and human services that available appropriations for the program will be insufficient to meet projected expenses and a report setting forth the proposed changes"

- 4800-0038 "; provided further, that the department shall report to the house and senate committees on ways and means and the joint committee on children and families by March 15, 2006 on the utilization of the transitional funds and the progress of the implementation of the department's reprocured system of care"
- 4800-0041 "; and provided further, that the department shall provide quarterly reports detailing the number of children diverted from residential settings, the programs in which they were placed, the associated cost savings from the diversion and any other measurements that would help assess the success of these programs in promoting the health and well-being of children"
- 5042-5000 "; provided further, that the department shall submit a report to the house and senate committees on ways and means not later than January 16, 2006 on the results of the collaboration between the department and the other departments within the executive office of health and human services; provided further, that the report shall detail the current status of the implementation of clinically appropriate service models for that population of children and adolescents, remaining disparities in the service system which require children and adolescents to be served in unnecessarily restrictive or otherwise clinically inappropriate settings and changes during fiscal years 2004 and 2005 in the clinical acuity of children and adolescents"
- 5046-0000 "; provided further, that the department shall report to the house and senate committees on ways and means no later than February 16, 2005 on the use of any funds expended for this purpose and provided further, that the department shall report to the house and senate committees on ways and means on the distribution of funds per adult and child planning population and the types of services received in each region for fiscal year 2006 not later than February 1, 2006"
- 5047-0002 "; and provided further, that the department shall submit a report to the house and senate committees on ways and means not later than February 3, 2006 detailing the use of any funds encumbered or expended from this item including, but not limited to, the number of clients served, the types of services purchased by region and the annualized impact of the expenditures in the subsequent fiscal year"
- 5095-0015 " and the General Court shall have approved the closure of Worcester State Hospital and Westboro State Hospital"
- 5920-1000 "; provided, that the department shall submit a semi-annual report to the house and senate committees on ways and means detailing the total number of service coordinators within the department, the number of consumers served by said coordinators, and the amount of time spent per month per consumer"
- 5920-5000 "; provided further, that the department shall report to the house and senate committees on ways and means not later than January 2, 2006, on the use of any funds encumbered or expended from this item including, but not limited to, the number of clients served in each region and the types of services purchased in each region;"
- 5930-1000 "; provided further, that said plan shall be subject to the approval of the house and senate committees on ways and means"
- 6000-0100 "; provided further, that the office shall submit to the joint committee on transportation and the house and senate committees on ways and means monthly reports detailing projects funded through the statewide transportation improvement program including, but not limited to, the location of the projects, the cost of the projects, the date of advertisement of the projects, the commencement date of the projects, the projected completion date of the projects and the source of funds for the projects; provided further, that the office shall also provide the committees with quarterly reports detailing construction and reconstruction projects on town and county ways as described in paragraph (a) of clause (2) of the first paragraph of section 34 of chapter 90 of the General Laws for which municipalities are projected to seek, have filed claims or have been paid state reimbursement; provided further, that a city or town shall comply with the procedures established by the secretary to obtain the necessary information to produce the reports; provided further, that the reports shall include, but not be limited to, the cost of the projects by city or town, the source of funding of the projects by city or town and the commencement and completion dates of the projects by city or town; provided further, that the secretary of the executive office of transportation, in collaboration with the commissioner of highways, shall file a report each year with the joint committee on transportation and the house and senate committees on ways and means by June 30, 2006 and the last day of each subsequent fiscal year"
- 6010-0001 "; provided further, that notwithstanding any administrative bulletin or general or special law to the contrary, the department shall not pay any fees charged for the leasing or maintenance of vehicles to the division of operational services; provided further, that the department shall not be subject to section 36A of chapter 30 of the General Laws and section 22 of chapter 7 of the General Laws, but shall submit to the secretary of transportation for approval requests to repair vehicles costing in excess of the limit set forth in said section 22 of said chapter 7"
- 6010-0003 "; provided further, that the report shall be filed with the house and senate committees on ways and means 30 days prior to any encumbrance of the funds"

- 7002-0101   "; provided further, that the application shall be accompanied by a fee of \$35 and paid by the apprentice or the program sponsor, together with photographic prints as required by the deputy director; provided further, that the first \$50,000 of the fees collected by the division for this identification card program shall be deposited into the special trust account created to fund and maintain the identification card program pursuant to chapter 11W of chapter 23 of the General Laws and the remainder of all fees collected shall be deposited into the General Fund"
- 7006-0070   "; provided further, that the department shall complete and submit a report to the joint committee on telecommunications, utilities and energy of the general court and the clerks of the senate and house of representatives no later than October 1, 2005 on the potential savings or financial gain to the NSTAR utility company before and as a result of any strike or work stoppage, and this report shall also examine the service quality index and standards, including but not limited to, safety response time, power outages, safety of the works and the public, before and as a result of any work stoppage or strike"
- 8000-0110   "; c) limit the distribution of criminal offender record information to conviction data and data regarding any pending criminal charge, except as otherwise authorized by law"

I hereby disapprove in the following items in Section 2B the wording as indicated:

Section 2B   Wording Stricken

- 1102-3224   "; provided, that the division of capital asset management and maintenance shall submit to the house and senate committees on ways and means on or before the first of each month beginning July 1, 2005 a monthly report on the agencies that currently, or will during fiscal year 2006 occupy space in the Saltonstall building, their rental costs, utility costs, parking space allocation, floor space, lease dates, all services included in the lease and all services that the agencies are obligated to fund beyond the lease payments; provided further, that the report shall include both estimated payments and prior expenditures"

I hereby return for amendment, pursuant to the authority vested in me by Article 56, as amended by Article 90, Section 3, of the Amendments to the Constitution, Sections 10 and 30. The text of my recommended amendments is set forth in separate letters of this date to the Senate and House of Representatives.

The remainder of this bill I hereby approve.

Approved, June 30, 2005

at                      o'clock and                      minutes,                      .M.

Mitt Romney  
Governor